

(1) enter into a lease with the State of New York, for a term of 99 years, for State-owned land within the boundaries of the Upper Delaware Scenic and Recreational River located at an area known as Mongaup near the confluence of the Mongaup and Upper Delaware Rivers in the State of New York; and

(2) construct and operate such a visitor center on land leased under paragraph (2).

H.R. 54

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORIZATION FOR UPPER DELAWARE CITIZENS ADVISORY COUNCIL

The last sentence of paragraph (1) of section 704(f) of the National Parks and Recreation Act of 1978 (16 U.S.C. 1274 note) is amended by striking "20" and inserting "30".

VOLUNTARY SCHOOL PRAYER

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment to ensure that students can choose to pray in school. Regrettably, the notion of the separation of church and state has been widely misrepresented in recent years, and the government has strayed far from the vision of America as established by the Founding Fathers.

Our Founding Fathers had the foresight and wisdom to understand that a government cannot secure the freedom of religion if at the same time it favors one religion over another through official actions. Their philosophy was one of even-handed treatment of the different faiths practiced in America, a philosophy that was at the very core of what their new nation was to be about. Somehow, this philosophy is often interpreted today to mean that religion has no place at all in public life, no matter what its form. President Reagan summarized the situation well when he remarked, "The First Amendment of the Constitution was not written to protect the people of this country from religious values; it was written to protect religious values from government tyranny." And this is what voluntary school prayer is about, making sure that prayer, regardless of its denomination, is protected.

There can be little doubt that no student should be forced to pray in a certain fashion or be forced to pray at all. At the same time, a student should not be prohibited from praying, just because he/she is attending a public school. This straightforward principle is lost on the liberal courts and high-minded bureaucrats who have systematically eroded the right to voluntary school prayer, and it is now necessary to correct the situation through a constitutional amendment. I urge my colleagues to support my amendment and make a strong statement in support of the freedom of religion.

CRUISES TO NOWHERE ACT 1999

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. WOLF. Mr. Speaker, today I am introducing legislation regarding so-called "cruises to nowhere." "Cruises to nowhere" are gambling cruises, ships where a destination, created for the sole purpose of allowing passengers to gamble on the high seas on board a floating casino. The cruises depart from a certain state, sail three miles into international waters for gambling, and then return to the same state. States receive no revenue from the cruises, but must absorb the social costs associated with the gambling traffic through their state.

Mr. Speaker, my legislation is about the fundamental principle that states should be able to determine on their own if they want gambling cruises in their state. My colleagues should be aware that on October 16, 1998, a federal district court ruled in the state of South Carolina that federal law preempts certain state laws prohibiting "cruises to nowhere," and are therefore unenforceable. (Casino Ventures v. Robert M. Stewart, et al. C/A No. 2:98-1923-18, October 1998) The federal law cited by the court is a poorly worded 1992 amendment to the Johnson Act buried a bill designating the "Flower Garden Banks National Marine Sanctuary" (P.L. 102-251). Congress did not intend for the 1992 amendment to supercede states' rights, and we should act to restore state sovereignty with regard to high-stakes, unpoliced and unregulated casino gambling around the country.

Almost every state has a law making it illegal to possess gambling equipment (e.g., slot machines). Thus it should be patently illegal for a day-trip gambling boat to dock in a state with statutes that clearly prohibit such operations, and it was illegal prior to enactment of the 1992 Johnson Act amendment.

In the meantime, casino "cruises to nowhere" have started operating out of Florida, Georgia, New York, Massachusetts, and South Carolina. Most recently, "cruises to nowhere" are planning to dock in Virginia and begin operations out of Virginia Beach. Unless Congress acts soon, almost all other states bordering the Atlantic Ocean, Pacific Ocean, or Gulf of Mexico could expect gambling ships to be docking very soon.

The legislation I am introducing today would make it clear that no preexisting state gambling law is weakened, preempted, or superseded by the 1992 Johnson Act amendment. My legislation will restore state sovereignty with regard to "cruises to nowhere." (It will give states the right to debate, vote and ultimately decide for themselves if they want this type of gambling). If states do choose to permit "cruises to nowhere," they can enact appropriate legislation, but will not be forced to by the federal government.

Mr. Speaker, I encourage my colleagues to join me in this fundamental issue of restoring states' rights. In particular, I urge members from coastal states to take a look at this issue and join me as a cosponsor.

H.R. —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cruises-to-Nowhere Act of 1999".

SEC. 2. FINDINGS.

The Congress finds and declares the following:

(1) Gambling cruises-to-nowhere are voyages in which a vessel departs a State, sails 3 miles into international waters for the primary purpose of offering gambling beyond the jurisdiction of Federal and State laws prohibiting that activity, and returns to the same State.

(2) Legal authorities have ruled that existing State laws cannot stop the operation of gambling cruises-to-nowhere, on the basis that the Congress preempted such State laws by the enactment of an obscure amendment buried in a 1992 law entitled "An Act to provide for the designation of the Flower Garden Banks National Marine Sanctuary" (Public Law 102-251).

(3) Gambling cruises-to-nowhere offer high-stakes, untaxed, unpoliced, and unregulated casino gambling.

(4) Accordingly, it is necessary to make absolutely clear that gambling cruises-to-nowhere enjoy no special exception from the operation of existing or future State laws and that relevant Federal law is not intended to preempt, supersede, or weaken the authority of States to apply their own laws to gambling cruises-to-nowhere.

SEC. 3. STATE AUTHORITY OVER CRUISES-TO-NOWHERE.

Section 5 of the Act of January 2, 1951, entitled "An Act to prohibit transportation of gambling devices in interstate and foreign commerce" (15 U.S.C. 1175; popularly known as the Johnson Act), is amended—

(1) in subsection (b)(2)(A), by striking "enacted"; and

(2) by adding at the end the following: "(d) NO PREEMPTION OF STATE LAWS.—Nothing in this section shall be construed to preempt the law of any State or possession of the United States."

THE STAND-BY-YOUR-AD ACT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 6, 1999

Mr. PRICE of North Carolina. Mr. Speaker, I don't know if the 1998 campaign season marked a new low in political advertising or not. It is difficult to measure degrees of the bottom of the barrel or the volume of mud spread across the air. I know for a fact that the 1998 campaign season was more of the mess that results when intelligent discourse gives way to attack and counterattack.

Last year, the House of Representatives took an arduous and promising step toward cleaning up our Nation's political campaigns. We passed the Shays-Meehan campaign reform bill, which had been amended to include a version of the Stand-by-Your-Ad proposal that Representative STEPHEN HORN and I introduced in 1997. Unfortunately, the leadership of the Senate lacked the political will to see campaign reform through to a conclusion. I hope that 1999 will prove a more fruitful year for campaign reform.